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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Henry A. Waxman
U.S. House of Representatives
2418 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Waxman:

This is in reply to your letter of February 9, 1993, in which you inquired on behalf of your constituents, Robert E. Gray and Browne C. Goodwin, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Messrs. Gray and Goodwin are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

2 Copies
[Signature]

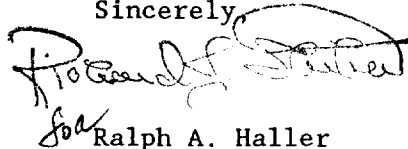
Honorable Henry A. Waxman

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ralph A. Haller", with a stylized flourish at the end.

Ralph A. Haller
Chief, Private Radio Bureau

Enclosures

cc:
Chief, PRBureau
Chief, LM&MDivison
Docket Files, Room 222
P&P Branch File (Pink)

CNTL NO - 9300594

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Congressional

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AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/16/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300594	02/16/93	02/09/93	03/01/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Congressman	Henry Waxman	BC

CONSTITUENT'S NAME	SUBJECT
R Gray & B Goodwin	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
PRE <i>Waxman</i>			
5-17-93			
DATE	DATE	DATE	DATE
02/16/93			

REMARKS:

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(213) 651-1040

Congress of the United States
House of Representatives
Washington, DC 20515-0524

HENRY A. WAXMAN
24TH DISTRICT, CALIFORNIA
February 9, 1993

COMMITTEES:
ENERGY AND COMMERCE
CHAIRMAN, SUBCOMMITTEE ON
HEALTH AND THE ENVIRONMENT
GOVERNMENT OPERATIONS
SELECT COMMITTEE ON AGING
PHILIP M. SCHILIRO
ADMINISTRATIVE ASSISTANT

PRB
92-235
594


James H. Quello
Acting Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Chairman Quello:

I wanted to bring to your attention two letters I have received from Robert E. Gray and Browne C. Goodwin of California. Messrs. Gray and Goodwin oppose the FCC's proposed rules under PR Docket 92-235 because they would reduce the number of frequencies available in the 72-76 MHz band to model aircraft fliers. I request that their views be taken into consideration during the FCC's deliberations on this matter.

With kind regards, I am

Sincerely,


HENRY A. WAXMAN
Member of Congress

HAW:pd

RECEIVED
FEB 11 1993

654 Ashland Ave.
Santa Monica, CA 90405
January 28, 1993

The Honorable Henry Waxman
U. S. House of Representatives
Washington, D.C. 20515

Dear Mr. Waxman:

I am an active flier of radio-controlled model aircraft, competing in several contests each month, and am an active member of two model soaring clubs, in Malibu and Carson. My nine-year old son is also learning to fly, and we are also teaching other members of his Cub Scout Den how to control model gliders. My son and I also have radio-controlled model race cars, sailboats, and motor boats; altogether, we own more than ten radio transmitters, twenty receivers, and twenty airplanes, cars and boats, in which we have invested at least \$3000.

We are very concerned about proposed rules that are currently under consideration by the Federal Communications Commission. The proceeding is PR Docket 92-235. If adopted, the new rules would greatly reduce the usability of frequencies currently assigned for model use, and increase the risk of accidents and accident liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile radio dispatch operations. Our frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies would move closer to the model radio control frequencies and cause interference to radio control operations. I understand that of the 50 frequencies presently available for radio control of model airplanes, only 19 might be left if these new rules are adopted.

When we fly our model airplanes under radio control, we take great care to assure the safety of the fliers, contest officials, spectators, and bystanders, and the protection of property (our flying sites are on state park property and on a state college campus, under agreements with the state parks service and with the college administration, and with insurance provided through the Academy of Model Aeronautics). Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety may be greatly

decreased.

We do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our own equipment, and the hobby provides many hours of enjoyment to thousands of people like us, as well as contributes to the advancement and development of the commercial aviation industry.

Pleas help us continue the safe enjoyment of our pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band.

Sincerely,

Browne C. Goodwin
Malibu R/C Soaring Society
Soaring Union of Los Angeles

January 27, 1993

The Honorable Henry Waxman
2418 Rayburn House Office Building
Washington, D. C. 20515

Dear Mr. Waxman:

I am a retired police officer, living on a disability pension, and the money I spend on my hobby is hard to come by. I have been building and flying model aircraft for fifty years, and radio controlled airplanes for the last thirty years. I derive many hours of pleasure and satisfaction from building and flying my planes. I am active in a local club, the Channel Islands Condors, which boasts over 200 members who share my interest in building and flying model aircraft. At the present time, I have five radio systems, and six functioning aircraft. I have a lot of money invested in those radios and aircraft, and in the engines, tools, chargers, field accessories, and other products necessary to support my hobby.

I am very concerned about the proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for R/C model use and will increase the risk of accidents and attendant liability.

Our radio control frequencies are in the 72-76 MHz band. This band is used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Propose Rule Making in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band and 10 of the 30 frequencies on the 75 MHz band now used by hobbyists. In fact, more channels will likely be affected.

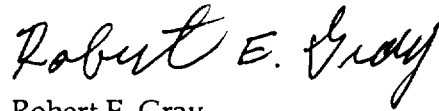
When I fly my radio controlled models, I take great pains to fly safely, and to assure the safety of spectators and property in the area where I fly. Many of my precautions depend on the careful coordination and use of the radio control frequencies. If the number of usable frequencies is reduced as proposed by the FCC, the remaining frequencies will be severely congested, and the margin of safety will be seriously reduced.

I don't think it is wise of the FCC to seek to expand the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. We hobbyists support a large

and growing industry, which provides jobs for thousands of people. The hobby itself provides many hours of enjoyment and relaxation to hundreds of thousands of people like myself, and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR 92-235 for the 72-76 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to keep these proposals from going into effect.

Sincerely,

A handwritten signature in black ink that reads "Robert E. Gray". The signature is written in a cursive style with a large, stylized 'R' and 'G'.

Robert E. Gray
2700 Kelp Street
Oxnard, CA 93035